

MAGISTRATE JUDGE CLERK NOTES

Magistrate Judge: Charles B. Swartwood, III
 Courtroom Clerk: Roland
 Case: USA v. Victor Sosa, Alex Perez, Diego Ortiz
 AUSA: McGrath
 PTSO/PO: Tom O'Brien

Date: February 23, 2004
 Tape Number: 10:24 A Time In Court: 45 min
 Case Number: 04-1651-CBS
 Defense Counsel: Byrne, Cipoletta, Norris
 Court Reporter:

TYPE OF HEARING**[] Initial Appearance**

☐ Arrested: ☐ on warrant ☐ on probable cause
☐ Defendant Sworn
☐ Advised of Charges
☐ Advised of Rights
☐ Requests Appointment of Counsel
☐ Will Retain Counsel
☐ Court Orders Counsel be Appointed
☐ Government Requests Detention & Continuance

[] Arraignment

☐ Defendant Waived Reading of Indictment
☐ Defendant Pleads Not Guilty to Counts _____
[] Removal Hearing/Rule 40
☐ Defendant Waives Identity Hearing
☐ Defendant Ordered Removed to Charging District.
 Order to Issue.
☐ Defendant Released, Conditions Remain/
 Modified/Set
☐ Identity Established

[X] Preliminary Examination (Rule 5 or Rule 32.1)

☐ Probable Cause Found
☐ Identity Established
☐ Defendant Waives Identity Hearing
[X] Defendants Sosa, Perez & Ortiz Waive Preliminary Examination

[] Bail Hearing

☐ Bail Revoked, Defendant Ordered Detained
☐ Defendant Released, Conditions Remain/Modified
☐ Defendant Released on _____ with Conditions

[X] Detention Hearing

☐ Defendant Requests a Continuance
[X] Defendants Sosa & Perez Consent to Voluntary Detention
☐ Defendant Detained, Order to Issue
[X] Defendant Ortiz Released on _____ with conditions
☐ Detention Taken Under Advisement

[] Preliminary Probation Revocation Hearing
☐ Defendant Ordered Detained
☐ Defendant Released

[] Miscellaneous Hearings

☐ Attorney Appointment Hearing
☐ Change of Plea (Rule 11) Hearing
☐ Material Witness Hearing
☐ Motion Hearing
☐ Status Conference
☐ Other _____

CONTINUED PROCEEDINGS

_____ set for _____ at _____

REMARKS

Case called, Counsel and defendant appear for Detention Hearing. Dft Sosa waives P/C and assents to detention but reserves his right to a hearing in the future. Dft Perez waives P/C, and assents to detention but reserves his right to a hearing in the future. Dft Ortiz waives probable cause. Consuelo Londono called and sworn, Tracy Ortiz called and sworn. Dfts Sosa and Perez remanded to the custody of the US Marshal.